THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26147 of 2006

Dated:18.01.2007

Between:

Kalidasu Jagannadam.

…Petitioner

and

The Mandal Revenue Officer.

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26147 of 2006

ORDER:

The petitioner and four others filed an application before the respondent for grant of Pattadar Pass Books (PPBs) and Title Deeds (TDs) for an extent of Acs.26.05 cents and Acs.6.86 cents in Survey Nos.168 and 169 of Chennipadu Village of Ponnaluru Mandal in Prakasam District. One of them appears to have moved the District Collector, Ongole, for a similar relief. Therefore, the Collector called for a report from the Mandal Revenue Officer, who sent a report vide letter dated 23.01.2001 to the effect that the petitioner and others are not pattadars, that they never cultivated the land in question, and that they are not entitled for PPBs. Thereafter, the Revenue Divisional Officer enquired into the matter and by proceedings dated 22.07.2005 directed the Mandal Revenue Officer to take necessary action for issue of PPBs and TDs to the petitioner and others, in vain. Therefore, they filed the instant Writ Petition seeking a direction to the respondent to conduct enquiry and pass necessary orders for issue of PPBs and TDs.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (General-A) obtained instructions. He submits that Sri Vennapusa Musalaiah and others, who were the respondents before the Revenue Divisional Officer, filed O.S.No.4 of 2006 on the file of the Court of the Senior Civil Judge, Kandukur, for perpetual injunction, and therefore, enquiry was not taken up. Learned Assistant Government Pleader, however, does not dispute that pendency of the injunction suit is not a bar for the recording authority under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, to conduct enquiry and issue PPBs.

Therefore, the Writ Petition is disposed of directing the respondent

to conduct enquiry as directed by the Revenue Divisional Officer, Kandukur, and pass necessary orders for issue of PPBs and TDs to the petitioner and others within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.01.2007
vs